



City of NORFOLK

C: Dir., Department of City Planning


To the Honorable Council
City of Norfolk, Virginia

May 12, 2015

From: George M. Homewood, AICP, CFM, Planning Director

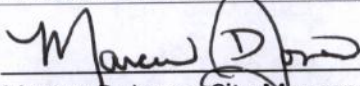
Subject: **Special exceptions for the operation of an entertainment establishment with alcoholic beverages and for sale of alcoholic beverages for off-premises consumption at 241 Granby Street – Brick Anchor Brew-House**

Reviewed:


Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved:


Marcus D. Jones, City Manager

Item Number:

R-4

- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Special exceptions:
 - Entertainment establishment with alcoholic beverages
 - Sale of alcoholic beverages for off-premises consumption
- IV. **Applicants:** Philip G. Smith
- V. **Description:**
 - This site previously operated as Jack Quinn's Irish Pub.
 - A new owner/operator has purchased the establishment and would like to operate an entertainment establishment with alcohol for on and off-premises consumption, which requires a new special exception.
 - The applicant proposes to sell growlers (32 ounces and greater) for off-premises consumption.

	Prior (Jack Quinn's Irish Pub)	Proposed (Brick Anchor Brew-House)
Hours of Operation	11:00 a.m. until 2:00 a.m., Monday through Saturday 10:00 a.m. until 2:00 a.m., Sunday	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 a.m. until 12:00 midnight, Sunday
Hours for Entertainment and the Sale of Alcoholic Beverages for On- Premises Consumption	11:00 a.m. until 1:45 a.m., Seven days a week	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 a.m. until 12:00 midnight, Sunday
Hours for the Sale of Alcoholic Beverages for Off-Premises	N/A	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 12:00 midnight,

Consumption		Friday through Sunday
Capacity	<ul style="list-style-type: none"> • 187 seats indoors • 8 seats outdoors • 240 total capacity 	<ul style="list-style-type: none"> • 158 seats indoors • 5 seats outdoors • 238 total capacity
Entertainment	<ul style="list-style-type: none"> • 4 member live band • Comedian • Karaoke • Open-mic • Fashion shows 	<ul style="list-style-type: none"> • 7 member live band • Comedian • Karaoke • Poetry Reading • Open-mic • Game nights • Magic Shows

Staff point of contact: Chris Whitney at 823-1253, chris.whitney@norfolk.gov

Attachments:

- Staff Report to CPC dated April 23, 2015 with attachments
- Proponents and Opponents
- Ordinance



City of NORFOLK

Planning Commission Public Hearing: **April 23, 2015**

Executive Secretary: George M. Homewood, AICP, CFM *GH*

Staff: Chris Whitney, CFM *CW*

Staff Report	Item No. 13	
Address	241 Granby Street	
Applicant	Brick Anchor Brew-House	
Requests	Special Exceptions	<ul style="list-style-type: none">• Entertainment establishment with alcoholic beverages• Sale of alcoholic beverages for off-premises consumption
Property Owner	Glenn E. Smith (Couple 2 Threes, LLC)	
Site Characteristics	Site Area	3,240 sq. ft.
	Zoning	D-3 (Freemason/Granby Conservation and Mixed Use)
	Neighborhood	Downtown
	Character District	Downtown
Surrounding Area	North	D-3: Luce, The Tazewell Hotel
	East	D-3: Norfolk Federal Building, AJ Gator's
	South	D-3: Granby Street Pizza
	West	D-3: Big Easy Oyster Bar, Fitness Gym



A. Summary of Request

- This site previously operated as Jack Quinn's Irish Pub.
- A new owner/operator has purchased the establishment and would like to operate an entertainment establishment with alcohol for on and off-premises consumption, which requires a new special exception.
- The applicant proposes to sell growlers (32 ounces and greater) for off-premises consumption.
- The site is located Downtown at the southwest corner of Granby Street and West Tazewell Street.

B. Plan Consistency

The proposed special exceptions are consistent with *plaNorfolk2030*, which designates this site as downtown.

C. Zoning Analysis

i. General

- The uses are permitted in the D-3 district by special exception.

	Prior (Jack Quinn's Irish Pub)	Proposed (Brick Anchor Brew-House)
Hours of Operation	11:00 a.m. until 2:00 a.m., Monday through Saturday 10:00 a.m. until 2:00 a.m., Sunday	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 a.m. until 12:00 midnight, Sunday
Hours for Entertainment and the Sale of Alcoholic Beverages for On- Premises Consumption	11:00 a.m. until 1:45 a.m., Seven days a week	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 2:00 a.m., Friday and Saturday 10:00 a.m. until 12:00 midnight, Sunday
Hours for the Sale of Alcoholic Beverages for Off-Premises Consumption	N/A	11:00 a.m. until 12:00 midnight, Monday through Thursday 10:00 a.m. until 12:00 midnight, Friday through Sunday
Capacity	<ul style="list-style-type: none">• 187 seats indoors• 8 seats outdoors• 240 total capacity	<ul style="list-style-type: none">• 158 seats indoors• 5 seats outdoors• 238 total capacity
Entertainment	<ul style="list-style-type: none">• 4 member live band• Comedian• Karaoke• Open-mic	<ul style="list-style-type: none">• 7 member live band• Comedian• Karaoke• Poetry Reading

	<ul style="list-style-type: none"> • Fashion shows 	<ul style="list-style-type: none"> • Open-mic • Game nights • Magic Shows
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- Special exception history:

City Council Approval	Applicant	Changes
August 2012	Jack Quinn's Irish Pub	Original Application (Entertainment Establishment)
Pending	Brick Anchor Brew-House	<ul style="list-style-type: none"> • Modify ABC hours • Add Off-Premises ABC • Decreased total occupancy • Modify entertainment

ii. Parking

The site is located within the D-3 zoning district, which does not require off-street parking.

iii. Flood Zone

The property is located in the X Flood Zone, which is a low risk flood zone.

D. Transportation Impacts

- Institute of Transportation Engineers figures estimate that this restaurant will generate 140 fewer vehicle trips per day by decreasing total indoor seating at this location by 29 seats below currently approved levels.
- No additional trips are forecast related to the proposed addition of off-premises alcohol sales to the proposed entertainment establishment use on the site.

E. Impact on the Environment

The site must continue to comply with all the standards set forth in the *Zoning Ordinance of the City of Norfolk, 1992*.

F. Impact on Surrounding Area/Site

By requiring this use to conform to the conditions listed below, the proposed Entertainment Establishment should not have a negative effect on the surrounding neighborhood.

G. Payment of Taxes

The owner of the property is current on all real estate taxes.

H. Civic League

- The applications were sent to the Downtown Norfolk Civic League and Downtown Norfolk Council on March 31.
- Letters of support were received from the Downtown Norfolk Civic League and the Portlock Condo Association.

I. Communication Outreach/Notification

- Legal notice was posted on the property on March 17.
- Letters were mailed to all property owners within 300 feet of the property on April 9.
- Legal notification was placed in *The Virginian-Pilot* on April 9 and April 16.

J. Recommendation

Staff recommends that the special exception requests be **approved** subject to the conditions shown below:

Conditions – Entertainment Establishment with alcoholic beverages

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages, and for entertainment shall be from 11:00 a.m. until 12:00 a.m. Monday through Thursday, 10:00 a.m. until 2:00 a.m. Friday and Saturday, and 10:00 a.m. until 12:00 a.m. Sunday. No use of the establishment outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 158 seats indoors, 5 seats outdoors, and the total occupant capacity, including employees, shall not exceed 238 people. The use authorized by this special exception shall not commence until a certificate of occupancy reflecting these limits has been issued by the Department of Planning.
- (c) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.
- (d) Entertainment shall be limited to live bands having no more than seven (7) members, karaoke, comedian, poetry reading, open-microphone, game nights, and magic shows. No other form of entertainment is permitted.

- (e) No entertainment and no amplified sound of any kind shall be permitted on the second floor.
- (f) There shall be no dancing and no dance floor provided.
- (g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."
- (h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The establishment shall maintain a current, active business license at all times while in operation.
- (j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.
- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (m) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (o) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this

ordinance, the conditions of this ordinance shall govern.

- (p) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (q) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (r) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (s) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (t) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (u) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This special exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;
 - (5) All fire code certifications, including alarm and sprinkler inspection records;

- (6) Any health department permit(s);
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (v) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 179 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (w) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Conditions – Sale of Alcoholic Beverages for Off-Premises Consumption

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be from 11:00 a.m. until 12:00 a.m. Monday through Thursday and 10:00 a.m. until 12:00 a.m. Friday through Sunday.
- (b) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier.
- (c) No alcoholic beverages other than those defined as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," as defined by state law, shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.

- (e) No beer shall be sold in any package containing fewer than six (6) bottles, with the exception of refillable containers at least 32 oz. capacity. No wine shall be sold in containers less than 375 ml each.
- (f) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (g) Any requirements, limitations or restrictions imposed by the Virginia ABC Commission or by any provision of Virginia law upon this establishment which are more stringent than the requirements of this Special Exception shall be effective and binding. Any violation of such limitation requirement or restriction imposed by the ABC Commission shall be deemed a violation of this Special Exception. The Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from limitations, requirements or restrictions imposed by the ABC Commission or by State law.
- (h) A copy of this Adult Use Special Exception ordinance and "Exhibit A" (including the floor plan) shall be available on site at all times for inspection, and a notice indicating that this Adult Use Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.
- (i) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."

Attachments:

Location Map

Zoning Map

1000' radii map of similar ABC establishments

Applications

Notice to the Downtown Norfolk Civic League

Notice to the Downtown Norfolk Council

Letter of Support from the Downtown Norfolk Civic League

Letter of Support from the Portlock Condo Association


Proponents and Opponents

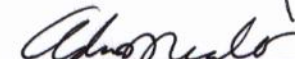
Proponents

Philip G. Smith – Applicant
4037 Hemlock Circle
Liverpool, NY 13090

Opponents

None

Form and Correctness Approved 

By 
Office of the City Attorney

Contents Approved: CW

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT KNOWN AS "BRICK ANCHOR BREW-HOUSE" ON PROPERTY LOCATED AT 241 GRANBY STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Mama Zuti, LLC authorizing the operation of an entertainment establishment named "Brick Anchor Brew-House" on property located at 241 Granby Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 27 feet, more or less, along the western line of Granby Street and 120 feet, more or less, along the southern line of West Tazewell Street; property also fronts 27 feet, more or less, along the eastern line of Lowenbergs Lane; premises numbered 241 Granby Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the establishment, for the sale of alcoholic beverages for on-premises consumption, and for entertainment shall be limited to 11:00 a.m. until 12:00 midnight Monday through Thursday, from 10:00 a.m. until 2:00 a.m. the following morning on Friday and Saturday, and from 10:00 a.m. until 12:00 midnight on Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) The seating for the establishment shall not exceed 158 seats indoors, 5 seats outdoors, and the total occupant capacity, including employees, shall not exceed 238 people.
- (c) This special exception shall terminate in the event

of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

- (d) Entertainment shall limited to live bands having no more than seven (7) members, karaoke, comedian, poetry reading, open-microphone, and magic shows. No other form of entertainment is permitted.
- (e) No entertainment and no amplified sound of any kind shall be permitted on the second floor.
- (f) There shall be no dancing and no dance floor.
- (g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B".
- (h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- (i) The establishment shall maintain a current, active business license at all times while in operation.
- (j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.
- (k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.

- (l) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the Special Exception so as to keep such areas free of litter, refuse, solid waste, and any bodily discharge.
- (m) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.
- (n) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- (o) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (p) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed

by the ABC Commission or by Virginia law.

- (q) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.
- (r) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.
- (s) In addition to the ABC manager or supervisor, the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.
- (t) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected.
- (u) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:
 - (1) This Special Exception;
 - (2) Any ABC license(s);
 - (3) Any occupancy permit(s);
 - (4) Certifications of all persons who work on the premises as a security guard;

- (5) All fire code certifications, including alarm and sprinkler inspection records;
 - (6) Any health department permits;
 - (7) The emergency action plan required under the Fire Prevention Code;
 - (8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;
 - (9) The establishment's designated driver program; and
 - (10) The establishment's Security Plan.
- (v) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 179 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshall, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.
- (w) The written security plan submitted to the City as part of the application for this Special Exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific

purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;
- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That the Special Exception granted hereby amends the previously granted special exceptions permitting operation of an Entertainment Establishment on this property, adopted on March 28, 2000 (Ordinance No. 39,906) and March 2, 2010 (Ordinance No. 43,757), and provisions and conditions previously approved are entirely superseded by the terms of this Special Exception

Section 5:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:

Exhibit A (4 pages)
Exhibit B (13 pages)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 2/10/15

Trade name of business Brick Anchor Brew-House

Address of business 241 Granby Street

Name(s) of business owner(s)* Philip A. Smith; MAMA Zoti LLC (sole member)

Name(s) of property owner(s)* Glenn E. Smith; Couple 2 Threes LLC (sole member)

Name(s) of business manager(s)/operator(s) Michael Gassett, ~~Philip Smith~~ Philip Smith

Daytime telephone number (315) 622-9012

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>11:00</u> To <u>midnight</u>	Weekday From <u>11:00</u> To <u>midnight</u>
Friday From <u>10:00</u> To <u>2:00 AM</u>	Friday From <u>10:00</u> To <u>2:00 a.m.</u>
Saturday From <u>10:00</u> To <u>2:00 AM</u>	Saturday From <u>10:00</u> To <u>2:00 am.</u>
Sunday From <u>10:00</u> To <u>midnight</u>	Sunday From <u>10:00</u> To <u>midnight</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☒ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?

☒ Yes (If more than 4, additional application required) ☐ No

4a. If yes, please describe type and number of each game to be provided:

Digital juke box (1) ; video game (1) ; shuffle board (1) ;
pool table (1)

5. Will patrons ever be charged to enter the establishment?

☒ Yes ☐ No

5a. If yes, why:

Pay per view events, live bands, other special
events and/or charity events

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?

☒ Yes ☐ No

6a. If yes, explain:

Business meetings ; military events ; receptions ;
birthday parties ; weddings + anniversaries ; showers ; charity events.

7. Will a third party (promoter) be permitted to lease, let or use the establishment?

☐ Yes ☒ No

7a. If yes, explain:

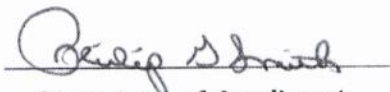
8. Will there ever be a minimum age limit?

☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility


Signature of Applicant

Total Restaurant

Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

Number of bar seats

Standing room

111
47
35

b. Outdoor

Number of seats

5

c. Number of employees

30/40

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 238

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Up to 7-member band; trivia nights; poker (CARD) nights; magic shows;
motion pictures; Fantasy sports leagues; Karaoke; open-mic nights, speed-dating

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor NA

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Scheme: A

First Floor: (Spring, Summer, Fall) No Band**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacitya. **Indoor**

Number of seats (not including bar seats)

Number of bar seats

Standing room

32
41
29

b. **Outdoor**

Number of seats

5

c. **Number of employees**

9

Total Occupancy**(Indoor/Outdoor seats, standing room and employees) = 116**2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

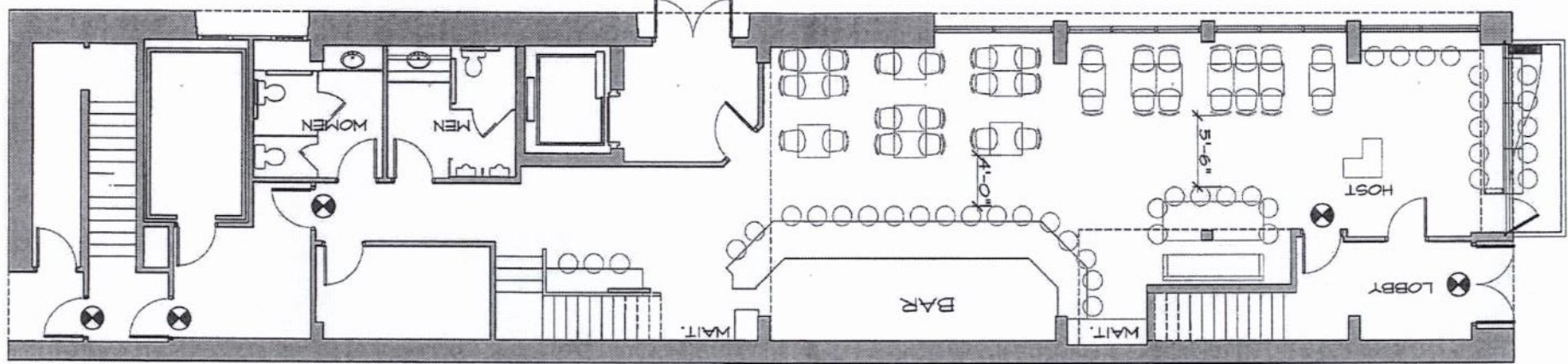
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY	
A. INDOOR	32
NUMBER OF SEATS (NOT BAR)	41
NUMBER OF BAR SEATS	29
STANDING ROOM	
B. OUTDOOR	5
NUMBER OF SEATS	
C. NUMBER OF EMPLOYEES	9
TOTAL OCCUPANCY:	116

SYMBOL LEGEND	
	4-TOP W/ CHAIRS
	2-TOP W/ CHAIRS
	BARSTOOL
	EXIT SIGN



FIRST FLOOR - SCHEME A (SPRING, SUMMER, FALL, NO BAND)
SCALE: NTS

Scheme: B

First Floor: (Spring, summer, Fall) with Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)

24

Number of bar seats

41

Standing room

29

b. **Outdoor**

Number of seats

5

c. **Number of employees**

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 108

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3 member live band.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

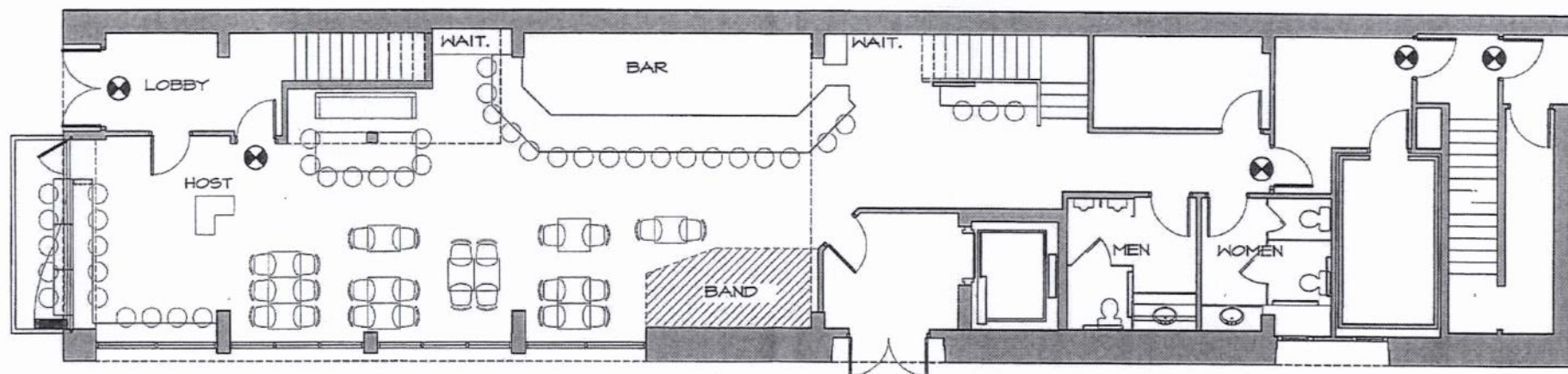
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	24
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	5
C. NUMBER OF EMPLOYEES	9
<u>TOTAL OCCUPANCY:</u>	<u>108</u>



FIRST FLOOR - SCHEME B (SPRING, SUMMER, FALL, WITH BAND)
SCALE: NTS

Scheme: C

First Floor: (winter) No Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)

Number of bar seats

Standing room

30
41
29

b. **Outdoor**

Number of seats

0

c. **Number of employees**

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 111

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

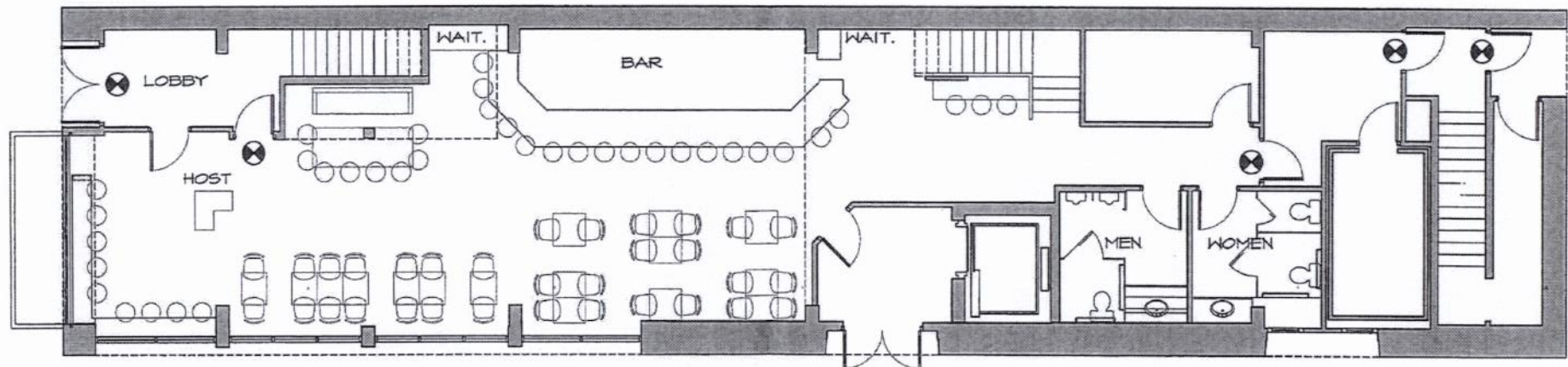
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	32
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	9
TOTAL OCCUPANCY:	III



FIRST FLOOR - SCHEME C (WINTER, NO BAND)
SCALE: NTS

Scheme: D

First Floor: (Winter) with Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)

Number of bar seats

Standing room

24
41
29

b. **Outdoor**

Number of seats

0

c. **Number of employees**

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 103

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3 member live band.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

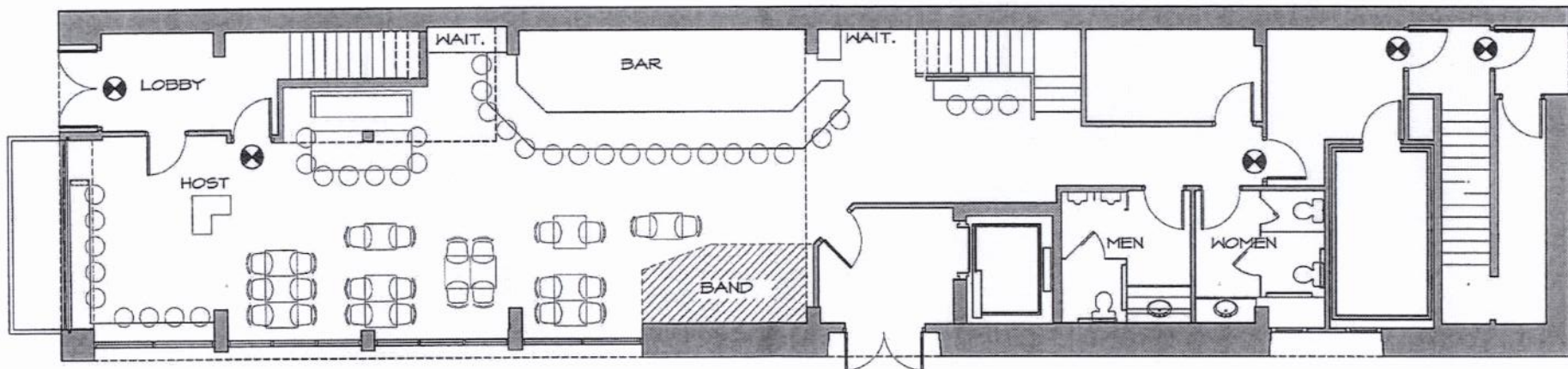
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	24
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	
	9
<u>TOTAL OCCUPANCY:</u>	<u>103</u>



FIRST FLOOR - SCHEME D (WINTER, WITH BAND)

SCALE: NTS

Scheme: A
Mezzanine: (year round)

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats) 21
Number of bar seats 0
Standing room 6

b. Outdoor

Number of seats 0

c. Number of employees

2

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 29

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

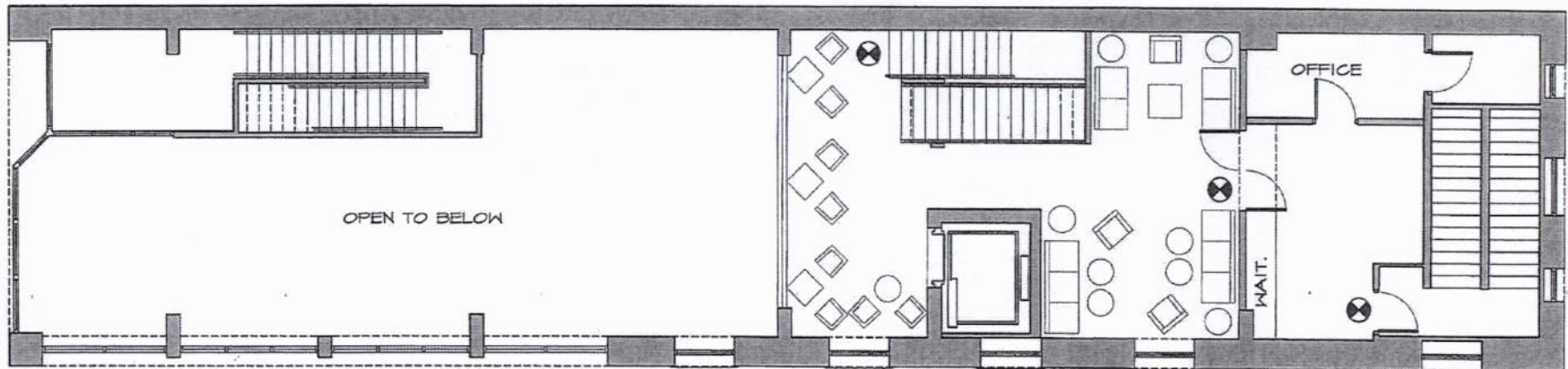


SYMBOL LEGEND



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	21
NUMBER OF BAR SEATS	0
STANDING ROOM	6
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	2
<u>TOTAL OCCUPANCY:</u>	<u>29</u>



MEZZANINE - SCHEME A (YEAR ROUND)

SCALE: NTS

Scheme: A
Second Floor: (Year Round)

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)	<u>58</u>
Number of bar seats	<u>6</u>
Standing room	<u>0</u>

b. **Outdoor**

Number of seats	<u>0</u>
-----------------	----------

c. **Number of employees**

12

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 76

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

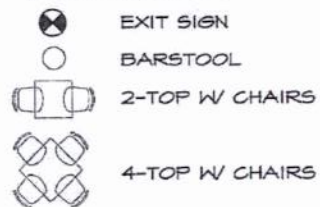
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

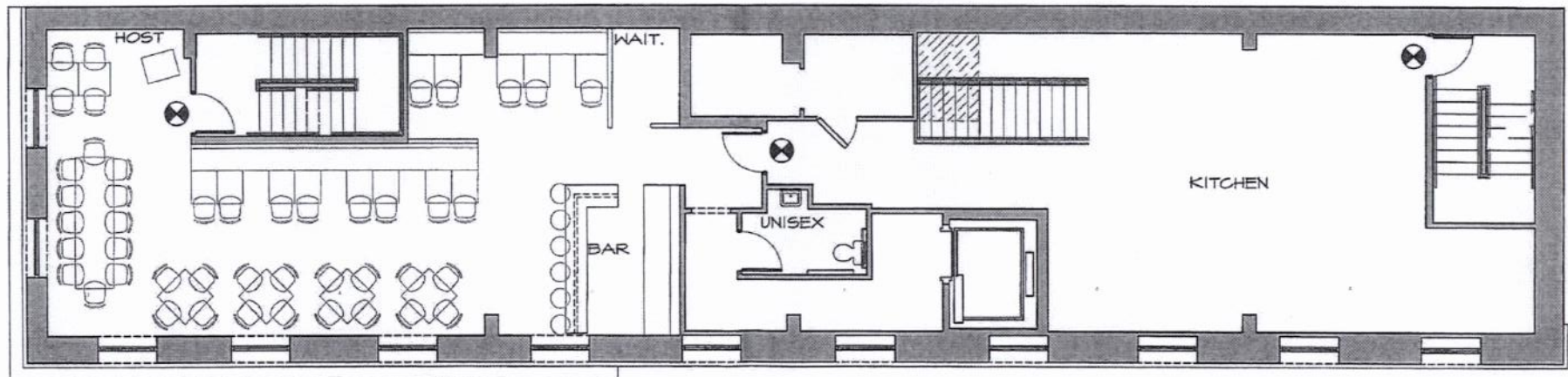


SYMBOL LEGEND



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	50
NUMBER OF BAR SEATS	6
STANDING ROOM	0
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	12
<u>TOTAL OCCUPANCY:</u>	<u>76</u>

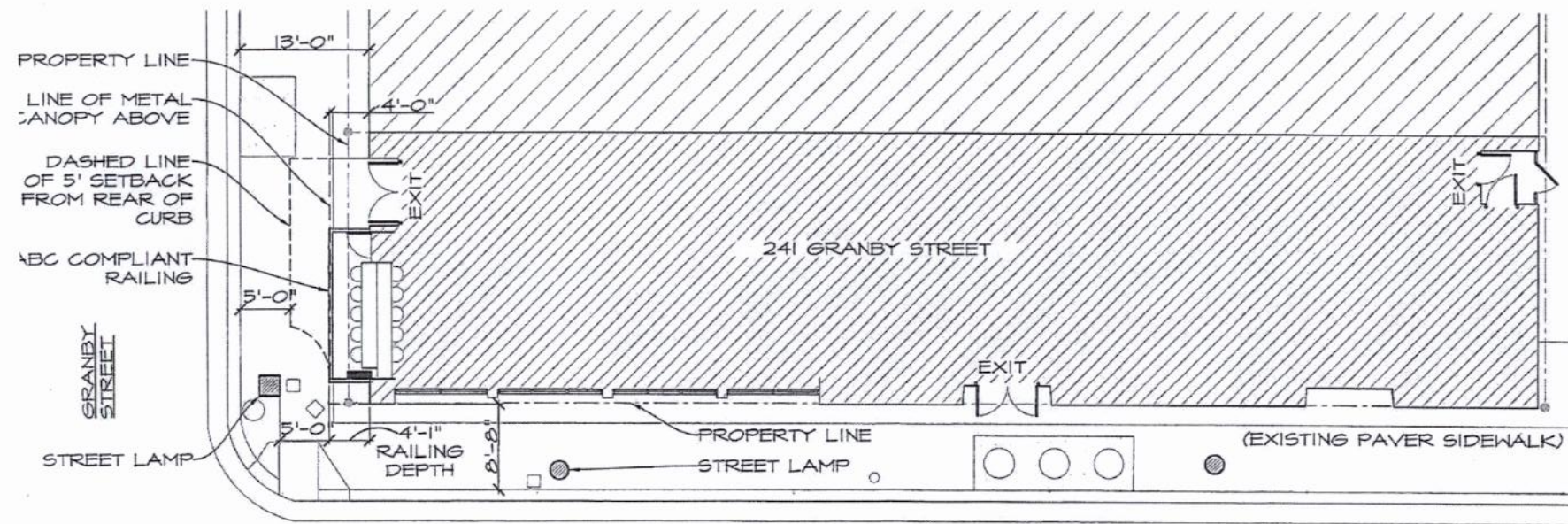


SECOND FLOOR - SCHEME A (YEAR ROUND)

SCALE: NTS

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

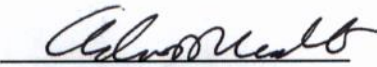


CONCEPTUAL SITE PLAN

SCALE: 3/32"=1'-0"

TAZEWELL STREET

Form and Correctness Approved: 

By 
Office of the City Attorney

NORFOLK, VIRGINIA

Contents Approved: 

By 
DEPT.

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION AT AN ESTABLISHMENT KNOWN AS "BRICK ANCHOR BREW-HOUSE" ON PROPERTY LOCATED AT 241 GRANBY STREET.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Mama Zuti, LLC authorizing the sale of beer and wine for off-premises consumption at an establishment known as "Brick Anchor Brew-House" on property located at 241 Granby Street. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 27 feet, more or less, along the western line of Granby Street and 120 feet, more or less, along the southern line of West Tazewell Street; property also fronts 27 feet, more or less, along the eastern line of Lowenbergs Lane; premises numbered 241 Granby Street.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the sale of alcoholic beverages for off-premises consumption shall be limited to 11:00 a.m. until 12:00 midnight Monday through Thursday and from 10:00 a.m. until 12:00 midnight Friday through Sunday.
- (b) This special exception shall terminate in the event of a change in ownership of the facility and may be revoked in the event of a change in the operation of the facility as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the facility shall be effective until 120 days after the change or until a new special exception is granted showing the new

owner, whichever is earlier.

- (c) No alcoholic beverages other than those defined by state law as "beer," "wine," "wine cooler," or "low alcohol beverage cooler," shall be sold.
- (d) No alcoholic beverage having more than 21% alcohol by volume shall be sold.
- (e) No beer shall be sold in any package containing fewer than six (6) bottles or cans with the exception of refillable containers of at least 32 oz. capacity. No wine shall be sold in containers less than 375 ml each.
- (f) The facility shall maintain a current, active business license at all times while in operation.
- (g) The business authorized by this Special Exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," and labeled, "Off-Premise Sale of Alcoholic Beverage" attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this Special Exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new Special Exception must be obtained prior to any such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.
- (h) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this Special Exception. This Special Exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.
- (i) A copy of this Special Exception ordinance and "Exhibit A" shall be available on site at all times

for inspection, and a notice indicating that this Special Exception ordinance and all amendments are kept on the premises and are available for review by any member of the general public shall be posted in a visible location. The notice shall also contain information on where and how to report violations of conditions and shall include the address of the zoning administrator.

- (j) At all times, all temporary window signage must comply with the applicable regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992, entitled "Signs."

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities,

drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (2 pages)



EXHIBIT "A"
Description of Operations
Off-Premises Sale of Alcoholic Beverage

Date of Application: 2/10/2015
Name of business: Bride Anchor Brew House
Address of business: 241 Granby Street
Name(s) of business owner(s)*: Philip G. Smith; MAMA ZUTU LLC (sole member)
Name(s) of property owner(s)*: Glenn E. Smith; Couple 2 Threes LLC (sole)
Name(s) of business manager(s)/operator(s): Michael Gassett, Philip Smith
Daytime telephone number (315): 622-9012

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From <u>11:00</u> To <u>midnight</u>	Weekday	From <u>11:00</u> To <u>midnight</u>
Friday	From <u>10:00</u> To <u>2:00 am</u>	Friday	From <u>10:00</u> To <u>midnight</u>
Saturday	From <u>10:00</u> To <u>2:00 am</u>	Saturday	From <u>10:00</u> To <u>midnight</u>
Sunday	From <u>10:00</u> To <u>midnight</u>	Sunday	From <u>10:00</u> To <u>midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☐ Room temperature ☒ Refrigerated

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Exhibit A – Page 2
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

Bar portion of restaurant will be focused on numerous craft beers. I hope to sell growlers in various sizes (32 oz and up) to afford patrons an opportunity to enjoy these hard-to-get beers in the comfort of their home.

Deiney M. Smith
Signature of applicant/owner

Location Map



BRICK ANCHOR BREW-HOUSE

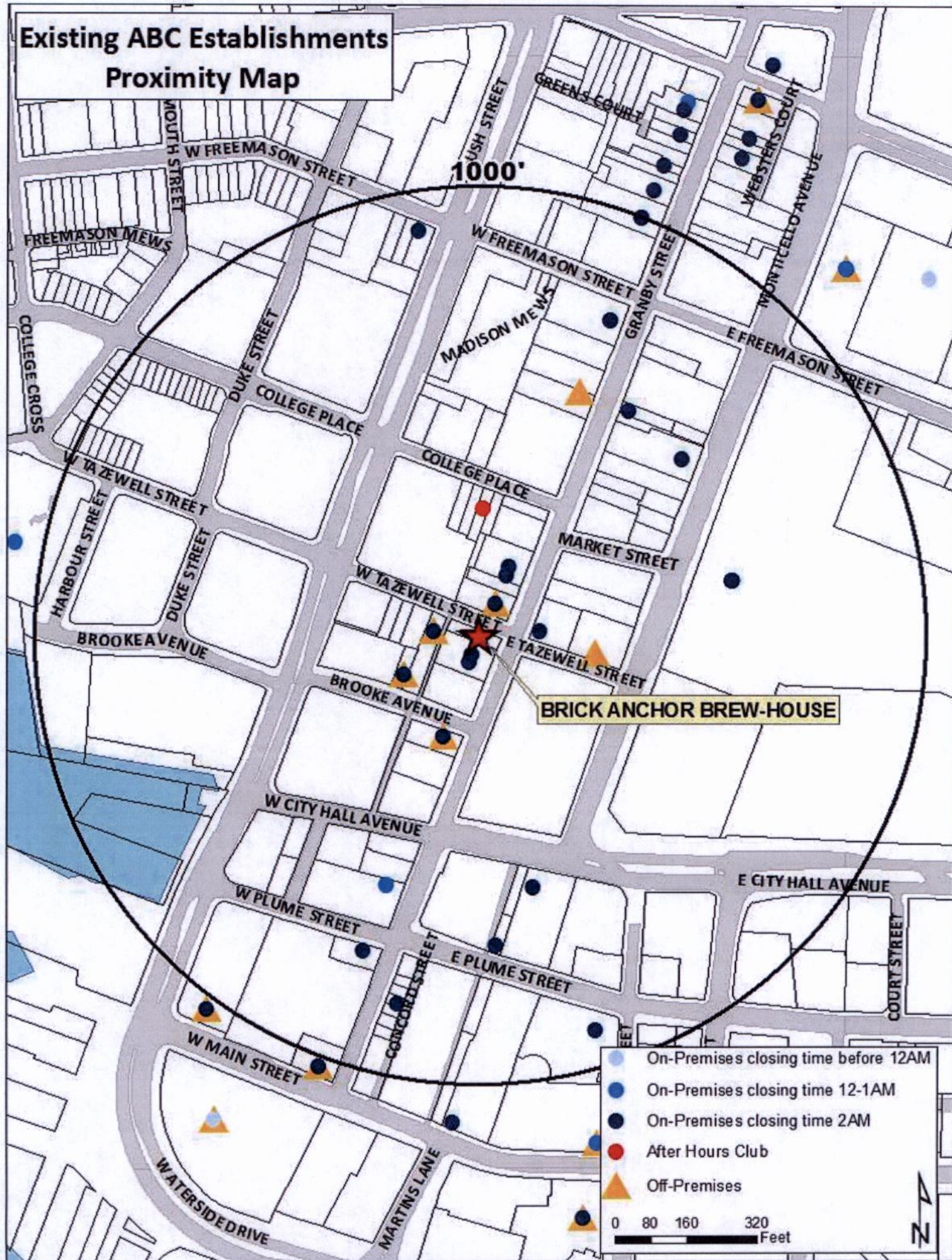
0 15 30 60 Feet



Zoning Map



Existing ABC Establishments Proximity Map





**APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)**

Date 2/10/2015

DESCRIPTION OF PROPERTY

Address 241 GRANBY STREET, NORFOLK, VA 23510

Existing Use of Property COMMERCIAL; RESTAURANT / BAR (VACANT)

Proposed Use COMMERCIAL; RESTAURANT / BAR

Current Building Square Footage 6400

Proposed Building Square Footage 6400

Trade Name of Business (If applicable) Brick Anchor Brew-House

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

MAMA Zuri LLC

1. Name of applicant: (Last) SMITH (First) PHILIP (MI) G

Mailing address of applicant (Street/P.O. Box): 4037 Hemlock Circle

(City) Liverpool (State) NY (Zip Code) 13090

Daytime telephone number of applicant (315) 622-9012 Fax () _____

E-mail address of applicant: phil@brickanchor.com

* NOTE - moving
to Hampton
Roads in
Spring 2015

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Application
Entertainment Establishment
Page 2

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) Smith (First) Philip (MI) G

Mailing address of applicant (Street/P.O. Box): 4037 Hamlock Circle

(City) Liverpool (State) NY (Zip Code) 13090

Daytime telephone number of applicant (315) 622-9012 Fax () _____

E-mail address of applicant: phil@bridgeanchor.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

Couple 2 Three LLC

3. Name of property owner: (Last) Smith (First) Glenn (MI) E

Mailing address of property owner (Street/P.O. box): 46 Tanglewood Drive West

(City) ORCHARD PARK (State) NY (Zip Code) 14127

Daytime telephone number of owner (716) 523-7254 email: gesmith@washington76.com

CIVIC LEAGUE INFORMATION

Civic League contact: Kevin Murphy ONC - Mary Mary Miller

Date(s) contacted: 2/6/15 ~ a month ago

Ward/Super Ward information: Downtown Norfolk Council Civic League

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

REQUIRED ATTACHMENTS

- Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- One 8 ½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- One 8½ inch x 11 inch copy of a floor plan prepared by a registered design professional drawn to scale showing restroom facilities, seats/tables, bar, dance floor with dimensions, band area, disc jockey area, standing room and ingress and egress (see attached example).
- Completed Exhibit A, Description of Operations (attached).

CERTIFICATION

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Glen E. Smith Sign: [Signature] 2 / 10 / 15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Philip G. Smith Sign: [Signature] 2 / 10 / 15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____ / ____ / ____
(Authorized Agent Signature) (Date)



EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 2/10/16

Trade name of business Brick Anchor Brew-House

Address of business 241 Granby Street

Name(s) of business owner(s)* Philip A. Smith; Maura Zuti LLC (sole member)

Name(s) of property owner(s)* Glenn E. Smith; Couple 2 Threes LLC (sole member)

Name(s) of business manager(s)/operator(s) Michael Gassett, ~~Philip~~ Philip Smith

Daytime telephone number (315) 622-9012

*If business or property owner is a partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility	Alcoholic Beverage Sales and Entertainment
Weekday From <u>11:00</u> To <u>midnight</u>	Weekday From <u>11:00</u> To <u>midnight</u>
Friday From <u>10:00</u> To <u>2:00 a.m.</u>	Friday From <u>10:00</u> To <u>2:00 a.m.</u>
Saturday From <u>10:00</u> To <u>2:00 a.m.</u>	Saturday From <u>10:00</u> To <u>2:00 a.m.</u>
Sunday From <u>10:00</u> To <u>midnight</u>	Sunday From <u>10:00</u> To <u>midnight</u>

2. Type of ABC license applied for (check all applicable boxes):

☒ On-Premises ☒ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?

☒ Yes (If more than 4, additional application required) ☐ No

4a. If yes, please describe type and number of each game to be provided:

Digital juke box (1) ; video game (1) ; shuffle board (1) ;
pool table (1)

5. Will patrons ever be charged to enter the establishment?

☒ Yes ☐ No

5a. If yes, why:

Pay per view events, live bands, other special
events and/or charity events

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday
Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?

☒ Yes ☐ No

6a. If yes, explain:

Business meetings ; military events ; receptions ;
birthday parties ; weddings + anniversaries ; shows ; charity events.

7. Will a third party (promoter) be permitted to lease, let or use the establishment?

☐ Yes ☒ No

7a. If yes, explain:

8. Will there ever be a minimum age limit?

☐ Yes ☒ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility


Signature of Applicant

total Restaurant

Exhibit A – Floor Plan(s) Worksheet Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>111</u>
Number of bar seats	<u>47</u>
Standing room	<u>35</u>

b. Outdoor

Number of seats	<u>5</u>
-----------------	----------

c. Number of employees

30/40

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 238

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

Up to 7-member band; trivia nights; poker (CAED) nights; magic shows;
motion pictures; Fantasy Sports leagues; Karaoke; open-mic nights, speed-dating

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor NA

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

Scheme: A

First Floor: (Spring, Summer, Fall) No Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats)

32

Number of bar seats

41

Standing room

29

b. **Outdoor**

Number of seats

5

c. **Number of employees**

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 116

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

BRICK ANCHOR BREWHOUSE
 241 GRANBY STREET
 NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

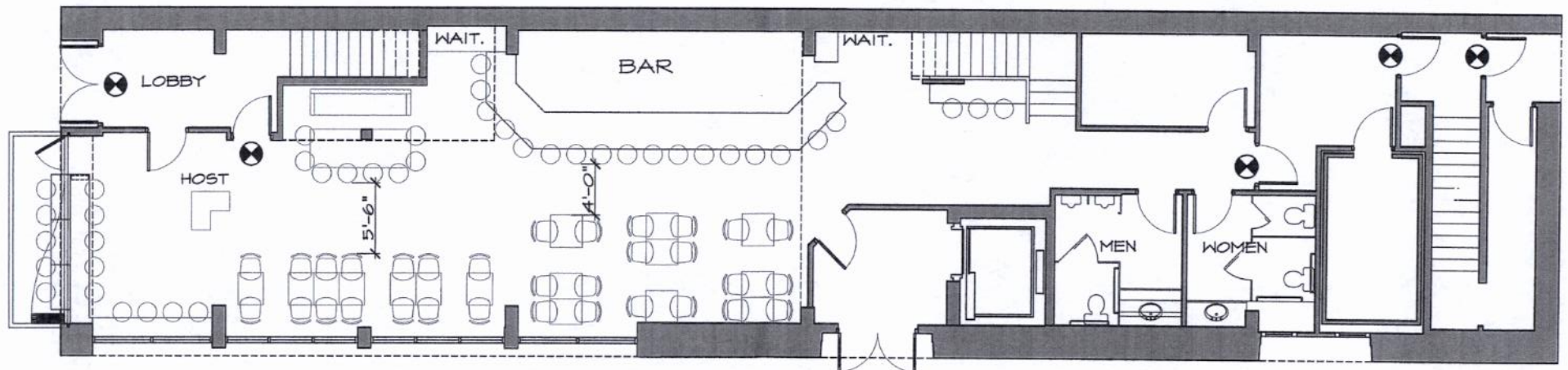


SYMBOL LEGEND



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	32
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	5
C. NUMBER OF EMPLOYEES	
	9
TOTAL OCCUPANCY:	116



FIRST FLOOR - SCHEME A (SPRING, SUMMER, FALL, NO BAND)

SCALE: NTS

Scheme: B

First Floor: (Spring, summer, Fall) with Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

24

Number of bar seats

41

Standing room

29

b. Outdoor

Number of seats

5

c. Number of employees

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 108

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3 member live band.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

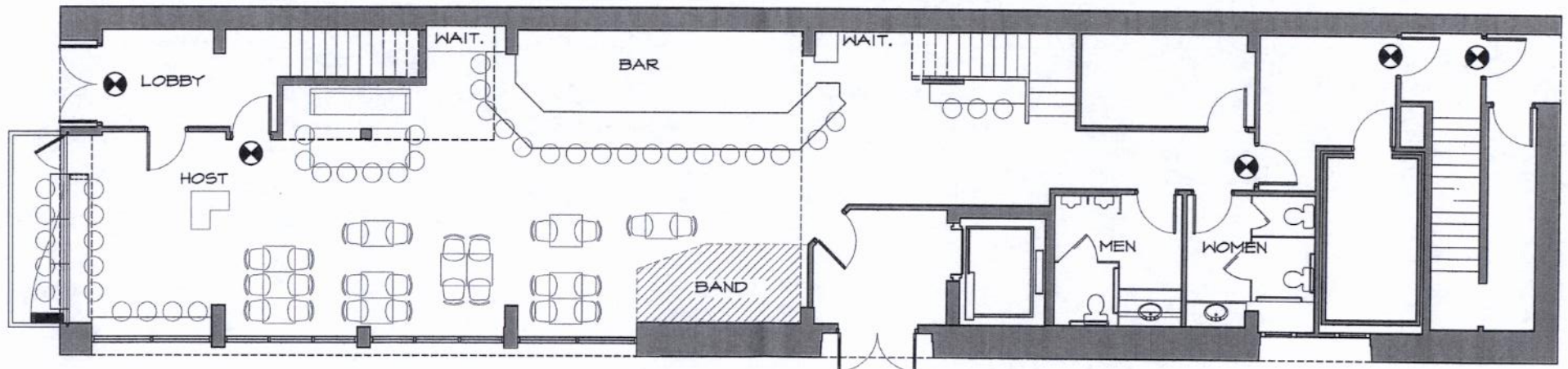
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	24
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	5
C. NUMBER OF EMPLOYEES	9
<u>TOTAL OCCUPANCY:</u>	<u>108</u>



FIRST FLOOR - SCHEME B (SPRING, SUMMER, FALL, WITH BAND)
 SCALE: NTS

Scheme: C

First Floor: (winter) No Band

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)

Number of bar seats

Standing room

30
41
29

b. Outdoor

Number of seats

0

c. Number of employees

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 111

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment

Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

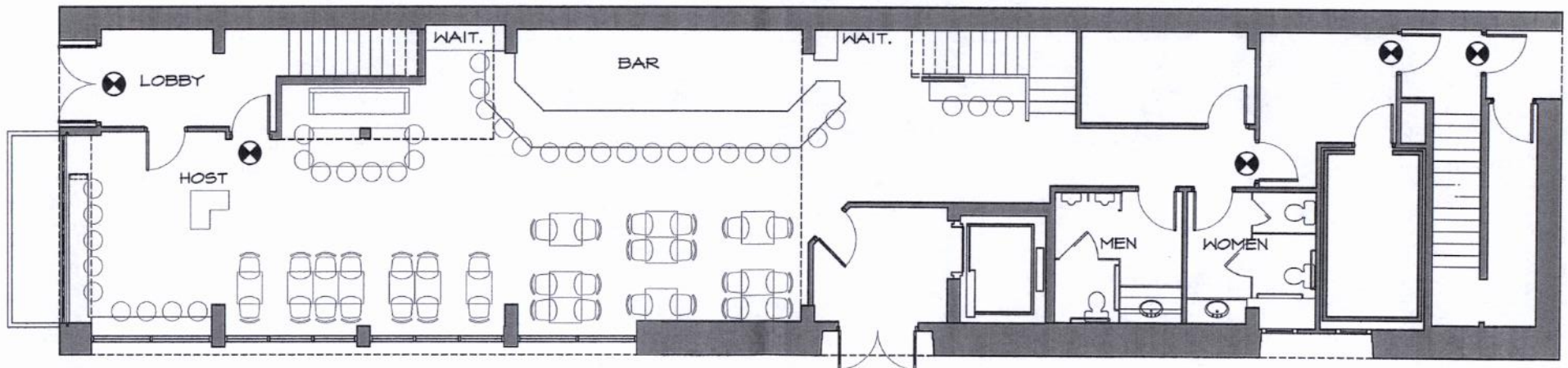
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	32
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	9
<u>TOTAL OCCUPANCY:</u>	<u>III</u>



FIRST FLOOR - SCHEME C (WINTER, NO BAND)

SCALE: NTS

Scheme: D
First Floor: (Winter) with Band
Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. **Indoor**

Number of seats (not including bar seats) 24
Number of bar seats 41
Standing room 29

b. **Outdoor**

Number of seats Ø

c. **Number of employees**

9

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 103

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3 member live band.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

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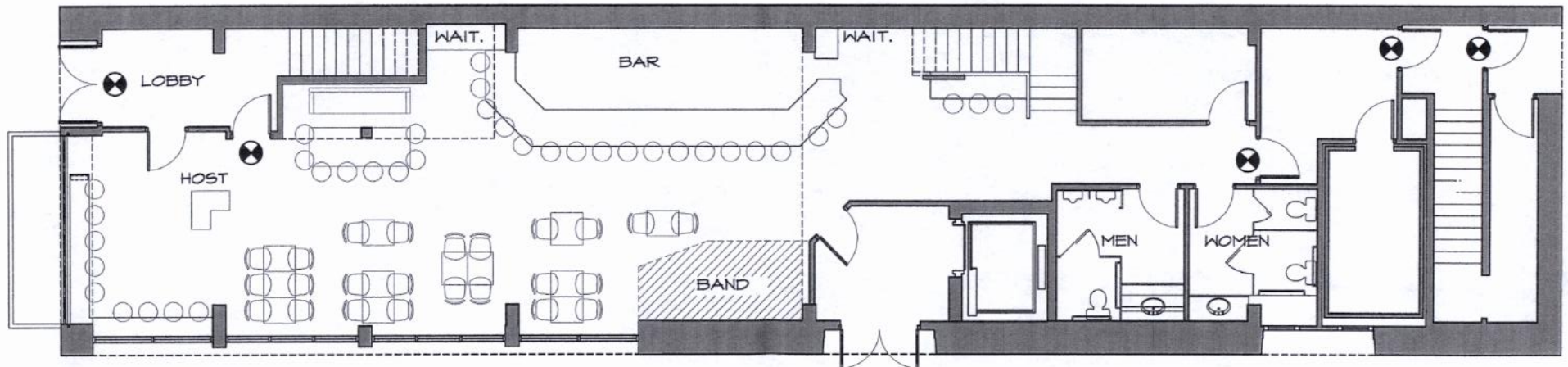
BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	24
NUMBER OF BAR SEATS	41
STANDING ROOM	29
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	9
<u>TOTAL OCCUPANCY:</u>	<u>103</u>



FIRST FLOOR - SCHEME D (WINTER, WITH BAND)

SCALE: NTS

Scheme: A
Mezzanine: (year Round)

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>21</u>
Number of bar seats	<u>0</u>
Standing room	<u>6</u>

b. Outdoor

Number of seats	<u>0</u>
-----------------	----------

c. Number of employees

2

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 29

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment _____
Square footage of dance floor N/A

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

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(Revised January, 2015)

BRICK ANCHOR BREWHOUSE
 241 GRANBY STREET
 NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

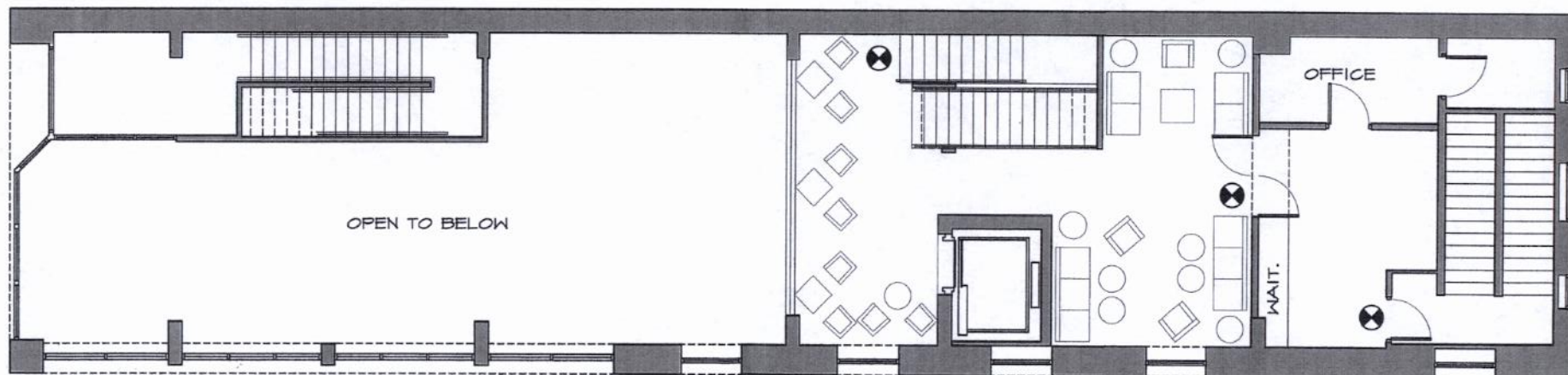


SYMBOL LEGEND



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	21
NUMBER OF BAR SEATS	0
STANDING ROOM	6
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	2
<u>TOTAL OCCUPANCY:</u>	<u>29</u>



MEZZANINE - SCHEME A (YEAR ROUND)

SCALE: NTS

Scheme: A

Second Floor: (Year Round)

**Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment**

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
 - Tables/seats
 - Restroom facilities
 - Bar
 - Ingress and egress
 - Standing room
 - Disc Jockey/Band/Entertainment area)
 - Outdoor seating
 - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	<u>58</u>
Number of bar seats	<u>6</u>
Standing room	<u>0</u>

b. Outdoor

Number of seats	<u>0</u>
-----------------	----------

c. Number of employees

12

Total Occupancy

(Indoor/Outdoor seats, standing room and employees) = 76

2. Entertainment

List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

3. Will a dance floor be provided?

☐ Yes ☒ No

3a. If yes,

Square footage of establishment	<u> </u>
Square footage of dance floor	<u>N/A</u>

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

DEPARTMENT OF CITY PLANNING

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Norfolk, Virginia 23510

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(Revised January, 2015)

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

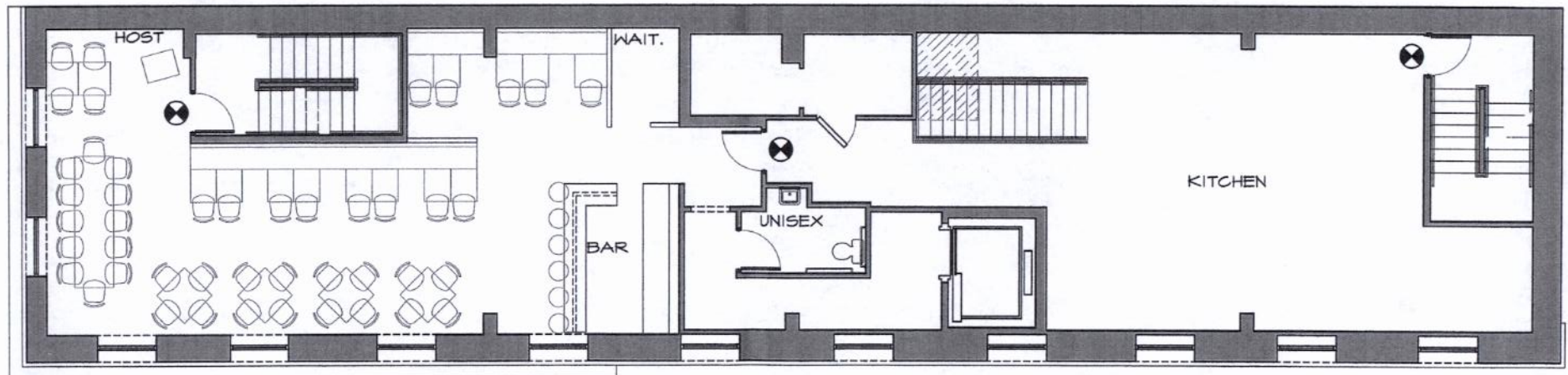


SYMBOL LEGEND



TOTAL CAPACITY

A. INDOOR	
NUMBER OF SEATS (NOT BAR)	58
NUMBER OF BAR SEATS	6
STANDING ROOM	0
B. OUTDOOR	
NUMBER OF SEATS	0
C. NUMBER OF EMPLOYEES	12
<u>TOTAL OCCUPANCY:</u>	<u>76</u>

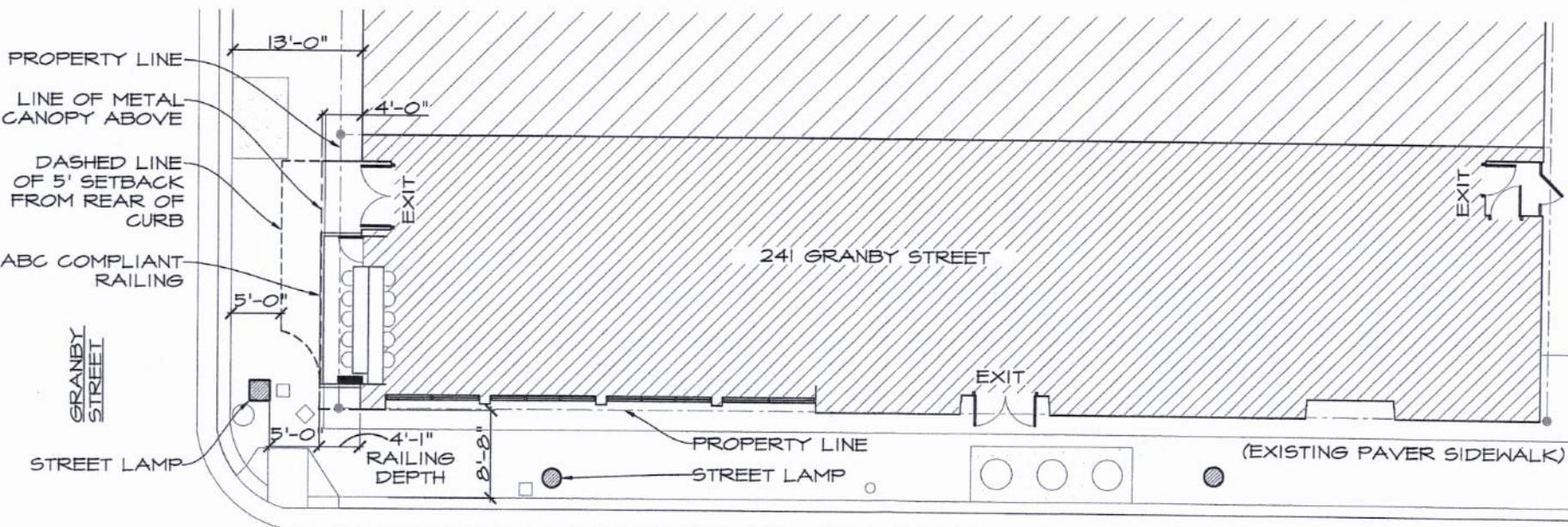


SECOND FLOOR - SCHEME A (YEAR ROUND)

SCALE: NTS

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



CONCEPTUAL SITE PLAN
SCALE: 3/32"=1'-0"



**APPLICATION
ADULT USE SPECIAL EXCEPTION
ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION**

Date of Application: 2/10/2015

DESCRIPTION OF PROPERTY

Property location: (Street Number) 241 (Street Name) Grawby Street

Existing Use of Property Commercial; bar/restaurant

Current Building Square Footage 6400 SF

Proposed Use Commercial; bar/restaurant

Proposed Building Square Footage 6400 SF

Trade Name of Business (If applicable) Brick Anchor Brew - House

APPLICANT

(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

MAWA BUTI LLC

1. Name of applicant: (Last) Smith (First) Philip (MI) GI

Mailing address of applicant (Street/P.O. Box): 4037 Hemlock Circle

(City) Liverpool (State) NY (Zip Code) 13090

* moving
spring 2015
to
Hampton Roads

Daytime telephone number of applicant (315) 622-9012 Fax () _____

E-mail address of applicant: phil@brickanchor.com

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January, 2015)

AUTHORIZED AGENT (if applicable)

(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

anna 201 LLC

2. Name of applicant: (Last) Smith (First) Philip (MI) 6

Mailing address of applicant (Street/P.O. Box): 4037 Hemlock Circle

(City) Liverpool (State) NY (Zip Code) 13090

Daytime telephone number of applicant (315) 622-9012 Fax () _____

E-mail address of applicant: phil@bucklender.com

PROPERTY OWNER

(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

Couple 2 Threes LLC

3. Name of property owner: (Last) Smith (First) Glenn (MI) E

Mailing address of property owner (Street/P.O. box): 46 Tanglewood Drive west

(City) ORANGETOWN PARK (State) NY (Zip Code) 14127

Daytime telephone number of owner (716) 523-7254 email: gesmith@washington76.com

CIVIC LEAGUE INFORMATION

Civic League contact: Kevin Murphy

Date(s) contacted: 2/6/15

Ward/Super Ward information: Downtown Norfolk Civic League

DEPARTMENT OF CITY PLANNING

810 Union Street, Room 508

Norfolk, Virginia 23510

Telephone (757) 664-4752 Fax (757) 441-1569

(Revised January, 2015)

REQUIRED ATTACHMENTS:

- ✓ Required application fee, **\$355.00** (if check, make payable to the City of Norfolk).
 - Application fee includes a non-refundable \$5 technology surcharge.
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a physical survey, drawn to scale and showing site conditions and improvements (including portions of the right-of-way to the curb line):
 - Existing and proposed building structures
 - Driveways
 - Parking
 - Landscaping
 - Property lines (see attached example)
- ✓ One 8½ x 14 inch or 11 x 17 inch copy of a conceptual site plan drawn to scale and showing all proposed site improvements, landscaping, drive aisles and parking with dimensions, and proposed changes to parcel/property lines (including lease lines) if applicable.
- ✓ One 8½ inch X 11 inch copy of a floor plan drawn to scale showing where cold and/or room temperature alcoholic beverages will be sold. (see attached example).
- ✓ Completed Exhibit A, Description of Operations (attached).
- ✓ Please provide a brief description of the business (i.e., # of employees, current locations, type of restaurant, etc...).

CERTIFICATION:

I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name: Glenn E. Smith Sign:  2/10/15
(Property Owner or Authorized Agent of Signature) (Date)

Print name: Philip G. Smith Sign:  2/10/15
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name: _____ Sign: _____/_____/_____
(Authorized Agent Signature) (Date)



EXHIBIT "A"
Description of Operations
Off-Premises Sale of Alcoholic Beverage

Date of Application: 2/10/2015
Name of business: Bride Anchor Brew House
Address of business: 241 Granby Street
Name(s) of business owner(s)*: Philip G. Smith; MAMA BUTI LLC (sole member)
Name(s) of property owner(s)*: Glenn E. Smith; Couple 2 Threes LLC (sole)
Name(s) of business manager(s)/operator(s): Michael Gassett, Philip Smith
Daytime telephone number (315): 622-9012

*If business or property owner is partnership, all partners must be listed.

*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility		Alcoholic Beverage Sales	
Weekday	From <u>11:00</u> To <u>midnight</u>	Weekday	From <u>11:00</u> To <u>midnight</u>
Friday	From <u>10:00</u> To <u>2:00 am</u>	Friday	From <u>10:00</u> To <u>midnight</u>
Saturday	From <u>10:00</u> To <u>2:00 am</u>	Saturday	From <u>10:00</u> To <u>midnight</u>
Sunday	From <u>10:00</u> To <u>midnight</u>	Sunday	From <u>10:00</u> To <u>midnight</u>

2. Type of alcoholic beverage applied for:

☒ Beer ☒ Wine ☒ Mixed Beverage

3. Alcoholic beverages to be sold:

☐ Room temperature ☒ Refrigerated

Exhibit A – Page 2
ABC-Off

4. As a general rule, the City does not approve selling beer in a single-sized serving container or selling wine in a bottle that is less than 375 milliliters. If you are seeking approval to sell servings that do not meet these criteria, please explain your justification as well as indicate what sizes you would sell:

Bar portion of restaurant will be focused on numerous craft beers. I hope to sell growlers in various sizes (32 oz and up) to afford patrons an opportunity to enjoy these hard-to-get beers in the comfort of their home.


Signature of applicant/owner

Description of Business
Brick Anchor Brew-House

Special Exception Off-Premise Application

The *Brick Anchor Brew-House*, located at 241 Granby Street in Norfolk, will be a bar/restaurant establishment catering to all demographics, but especially the condo- and apartment dwelling residents of downtown Norfolk. It will be the first *Brick Anchor* in existence and may serve as a foundation for further expansion within Hampton Roads. Philip Smith will be the owner-operator (he is retired military with a past postings to Fort Monroe in Hampton and Fort Lee in Petersburg). His business partner and brother, Glenn, will remain in Buffalo, NY. Michael Gassett, a Norfolk resident, will serve as the General Manager.

The *Brick Anchor* is comprised of 6400 square feet of space on two floors and a mezzanine. Seating is planned for approximately 150 guests in addition to a small outdoor seating area. The food menu will be extensive (comfort food +) and will be focused on pairing/highlighting the 50-60 craft and other beers on tap. We are positioning ourselves for the sale of 'beer growlers' so near-by residents can take a sealed beverage back to their residence.

Operating hours will likely be: Mon-Thurs: 11:00 a.m. – midnight; Fri: 11:00 a.m. -2:00 a.m.; Sat: 10:00 a.m. – 2:00 a.m.; Sun: 10:00 a.m.-midnight.

The *Brick Anchor* will likely employ between 40-50 staff members, including 3-5 within management.

Please address any questions to the undersigned at 315-622-9012.

Respectfully,

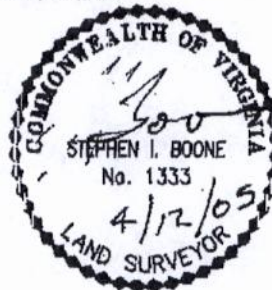


Philip G. Smith

Proprietor, *Brick Anchor Brew-House*

I, STEPHEN I. BOONE, A DULY REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT FOR THE PORTLOCK BUILDING, A CONDOMINIUM, LABELED SHEET 1 OF 1 IS ACCURATE AND COMPLIES WITH SECTION 55-79.58.A, AND SECTION 55-79.58.B, RESPECTIVELY OF THE VIRGINIA CONDOMINIUM ACT, AS AMENDED, AND THAT ALL UNITS OR PORTIONS THEREOF DEPICTED THEREON HAVE BEEN SUBSTANTIALLY COMPLETED UNLESS NOTED OTHERWISE.

AREA OF SURVEY = 3240 S.F.



10' ALLEY

N27°27'54"E
27.00'

NOTE: FIRE ESCAPE AND MISCELLANEOUS UTILITIES ENCROACH ALONG REAR OF BUILDING.

NOW OR FORMERLY THE GREENWOOD BUILDING, A CONDOMINIUM

120.00'

BLDG. OF OTHERS

N62°31'57"W

6 STY. BR.
BUILDING
#241

OVERHANG

120.00'

BRICK SIDEWALK

S62°31'37"E

TAZEWELL STREET

BRICK SIDEWALK
27.00'
S27°27'54"W

GRANBY STREET

APPROVAL FOR RECORDATION OF PLAT
SHOWING EXISTING PROPERTY LINES
AND/OR CONDITIONS AND NOT APPROVED
AS A SUBDIVISION PLAT.

CITY SURVEYOR

DATE

Stephen I. Boone 4/12/05

SECURITY PLAN

Philip G. Smith, Proprietor

The Brick Anchor Brew-House

241 Granby Street, Norfolk, VA 23510

Definition of "Security": se·cu·ri·ty – noun

1. Freedom from danger, risk, etc.; safety. Freedom from worry, anxiety, or doubt; well-founded confidence.
2. Something that secures or makes safe; protection; defense.
3. Precautions taken to guard against crime, attack, etc.

Goals:

1. To create a safe and secure environment at *The Brick Anchor Brew-House* for patrons, guests and staff.
2. To provide a level of control and safety for all arriving and departing guests.
3. To mitigate any noise or inappropriate conduct by patrons/ staff entering or leaving the *Brick Anchor* that impairs the quiet enjoyment of neighbors, particularly residents of 241 Granby.
4. To proactively, peacefully, and effectively resolve all dangerous situations before any injury to any person or property may occur. To assist in this, the *Brick Anchor* shall provide an assertive presence by displaying integrity and professionalism while executing their duties and responsibilities in an effort to maintain security, protection, and safety of members of the public.
5. To ensure a complete, orderly, safe, and swift evacuation in case of fire, explosion, or any other uncontrolled/unforeseen dangers within the building.
6. To protect and promote the courteous, inviting, and hospitable character of the Granby neighborhood and the City of Norfolk.

Features of the Plan:

In general, security within *The Brick Anchor Brew-House* will be viewed as every employee's responsibility. *The Brick Anchor* will also have an actively trained, responsive, adaptive and professional third party security team. At events projected to potentially exceed staff capabilities, the management of the facility may contract with trained/certified security professionals to supplement its own security staff. Security team and other employee responsibilities are included within this Security Plan and they will be passively supplemented by security cameras and devices through ADT. Partnerships with neighboring businesses, collaborations with building residents, and active engagement with local law enforcement/Fire Marshal Agents will proactively support a safe environment for all patrons and staff of *The Brick Anchor*.

Rules and Regulations:

1. A dress code for patrons will be enforced (see below):

Hats: Are allowed.

Shirts:

- Must be worn at all times; no shirts that the management considers vulgar, offensive, or otherwise likely to cause a disturbance.

Pants:

- No excessively low or baggy pants such that a person's undergarments or buttocks are exposed.

Footwear:

- Footwear must be worn at all times. All footwear with laces must be tied.
- Sandals and flip flops are permitted, but not recommended after 8 pm.
- No sports cleats.

Bags / Backpacks: All bags that are allowed, but deemed questionable by staff (including large purses), are subject to search prior to entering the establishment by a third party security company. However, patrons are free to refuse the bag search and enter the establishment without the questionable bag.

Miscellaneous:

- Clothing must not be excessively torn, dirty, tattered, or emit an unpleasant odor.
- No outside food or beverages. No use any tobacco product of any kind that may emit any odor of any kind (smoke, vapor or cloud), e-cigarettes or vaporizers within the facility.
- No weapons of any nature, including but not limited to guns, knives, nun chucks, tazers, etc. The management reserves the right to decide what is and is not a weapon. Anyone with a weapon will be ejected and the instance brought to the attention of management. If any weapon is used within the facility, the Police will be immediately informed.
- No illegal drugs are allowed on the premises. Anyone noted using or possessing illegal drugs will be brought to the attention of management and ejected from the premises and the authorities notified.
- No beach balls, horns, or other objects likely to cause a disturbance in the establishment.
- Management has the right to deny admission to anyone suspected to be intoxicated or deemed likely to cause a disturbance.
- Management reserves the right to refuse service to anyone at anytime without cause or reason

2. Patrons under the age of 21 will be allowed to dine in the restaurant portions of *The Brick Anchor* within the time frame of the hours of operation. Servers, bartending staff and management will request ID from all patrons in order to purchase any alcoholic beverage, or are seen consuming alcoholic beverages on the premises. Anyone who buys an alcoholic beverage for a minor in the establishment will be asked to leave, as well as the consuming minor and the authorities notified. The establishment may consider using a wrist-band system to identify minors during peak hours or special events.

3. The Brick Anchor is non-smoking. Patrons who smoke will first be asked to put it out; if they refuse or if they re-light later, they will be ejected from the establishment.

4. All staff, but especially servers and bartenders, will be very cognizant of intoxicated patrons. Those who appear intoxicated will not be served. Intoxicated patrons will be tactfully and professionally asked if the establishment can call them a taxi service at the expense of the establishment and will otherwise discourage them from driving. If so, bar staff and/or management should make the call for a taxi. Any issues will be brought immediately to the attention of the manager on duty. *The Brick Anchor* will provide non-alcoholic beverages to any designated driver provided they do not consume any alcoholic beverages before or after beginning their designated driver responsibilities.
5. Unruly patrons, including intoxicated patrons upset at service shut-off, will be politely asked to exit the establishment. If they refuse, the situation will be brought to the attention of the management staff or any security staff present, who will approach the unruly patron and ask them to leave. If they continue to reject their ejection, they will be informed they are now considered to be trespassing and that the authorities will be notified. Unless to defend themselves, the *Brick Anchor* staff will not place hands on the patron but guide the unruly patron to the nearest exit. If necessary, only *reasonable force* sufficient to hold, restrain or remove an unruly patron who has physically attacked or assaulted fellow patrons or staff will be used. An ambulance will be called for any patron made unconscious by any attack or assault. If any physical altercation appears on site (including between patrons and/or involving staff), or an ambulance or law enforcement called, a written report by involved staff members and managers will be completed by the end of their shift and presented to the General Manager at the first opportunity. It will also be made available to law enforcement as needed or required.

Access: Pedestrian access will be through the main entrance on Granby Street. Emergency exits include a side exit on to Tazewell Street as well as rear fire entrance leading to the alley behind 241 Granby Street. Parking is located on pay meters in front of establishment and in surrounding city and private parking garages. Security and other staff will ensure that patrons do not park in undesignated parking areas or emergency/loading areas.

Integration:

The Brick Anchor Brew-House will be a collaborative partner with local law enforcement, Fire Marshal and ABC Agents (and Bar Task Force members) and emergency responders. Any actual, potential, or suspected crimes will be reported to the Police via the on-site management team member and any security cameras or other footage of the event will be provided at the earliest opportunity upon request.

The Brick Anchor Brew-House will also actively engage with its surrounding business partners to ensure a collaborative and proactive approach is taken towards security, health and welfare, and accommodating a hospitable living climate for nearby Granby Street residents. Owner and/or GM will meet at least quarterly to discuss partnership opportunities and to abrogate any potential future issues.

Uniform for Security Team

Uniforms are intended to help patrons, law enforcement, and emergency responders readily identify who from the facility is designated as responsible for maintaining security and empowered to implement or impose the facilities rules and regulations. All members of the *Brick Anchor* staff will wear the provided staff uniform which will easily identify themselves to patrons and emergency responders as staff.

Third party Security Team Personnel: *Allocated when business levels or special events require*

1. One Security Team Leader
2. At least one Door Security person. Whenever occupancy exceeds 200 persons or the queue of patrons waiting to be admitted exceeds 25, at least two Door Security persons.
3. At least one Roving Security Person. Whenever occupancy exceeds 200 persons, at least two Roving Security persons.

Third party Security Team General Duties and Responsibilities:

All security team members will:

1. Be trained to set up and control queuing in accordance with any floor plans approved through the City's special exception process.
2. Work together to maintain order within the facility and outside in the immediate surroundings so as to prevent any activity which would interfere with the quiet enjoyment of nearby property owners or residents.
3. Coordinate with any personnel who may be hired by the General Manager or property owner to provide security immediately outside of the facility and will be responsible for communicating wait times and cut-offs for any prospective patron queuing up to gain entry.
4. Be knowledgeable of each other's duties and responsibilities so as to be able to assist one another whenever necessary.
5. Protect the establishment, its patrons and employees from any and all perceived and real threatening situations.

Third party Security Team Leader will:

1. Supervise all other security team members and monitor all members' compliance with this Security Plan.
2. Enforce occupancy limits in accordance with any floor plans approved through the City's special exception process. The Leader may rely on information about the number of patrons entering and leaving the facility that might be gathered by other members of the security team.
3. Immediately report any issues directly to any of the following who are on-site: the establishment General Manager, owner or other staff-member serving in a management position.
4. Rove entire venue during operating hours to ensure patron flow and maintenance of open aisles and clear pathways to exits.
5. Liaison with state and city enforcement officers and emergency responders.
6. Coordinate daily configuration of the floor plan with the General Manager or in his/her absence, the on-site manager and in accordance with any floor plans approved through the City's special exception process.
7. Provide or arrange security accompaniment for requesting employees at the end of their shift.
8. During emergency evacuation, ensure that all security team members are properly executing emergency duties and responsibilities. Ensure facility is vacant and report this or any issues to emergency responders.
9. Maintain CPR certification.

Third party Door Security:

1. Will greet every patron entering the establishment.
2. Control activity at main entrance(s) at all times, monitoring entry of patrons and maintaining a clear egress.
3. Control access to the venue.
4. Check for proper identification of patrons seeking admission who appear to be under the age of 30. Door security will ask patrons: *'May I see your state ID.'* Anyone who refuses to provide requested identification will be barred from entry into the establishment.
5. Enforce dress code, age limitation, legitimacy of identification cards (watching out for counterfeit IDs) and code of conduct. Clearly intoxicated patrons or others exhibiting threatening manners/attitudes will not be admitted.
6. Keep count all persons entering and leaving the club.
7. During emergency evacuation, direct patrons out of exits and to a location far enough from the building to be safe and to allow room for other patrons to continue to move away from the building and assemble. Also ensure space is cleared for any emergency responders.

Stationary and Roving Security:

1. Monitor continual compliance with Virginia ABC regulations.
2. Identify and address hazards as they arise throughout the facility.
3. Maintain security around bar area(s).
4. Maintain security presence in restroom corridor and near management office.
5. Rove venue during operating hours to ensure patron flow and maintenance of open aisles/clear exit pathways.
6. Regularly check emergency exits to ensure they are clear and accessible.
7. Deter patrons from acting unruly.
8. During emergency evacuation, assist with departure through all exits of patrons; report any issues to the security team leader or on-site owner, General Manager or other management member. Comply with any requirements in 'Emergency Exit' section below.

Electronic Security:

The Brick Anchor will employ cameras (via ADT or other provider) within the establishment. They will be located, at a minimum, near entry and exit points, over each bar, and near entrance to the management office. The heart/recorder of the system will be located in the manager's office and screens also located there. The establishment will contract with ADT (or other provider) for digital storage of tapes. All footage will be made available immediately upon request to local authorities who provide proper identification in the pursuit of an investigation. The owner or General Manager will serve as the main facilitator of this collaboration. Managers are tasked with responsibility to periodically monitor the live security camera feed. *The Brick Anchor* will also be equipped with an alarm system at all entry/exit points and within the manager's office.

Emergency Evacuation Plan:

Please see attached diagrams for emergency evacuation of each floor (1st, Mezzanine and 2nd) of 'The Brick Anchor Brew-House.'

The manager on duty and/or the team leader of the third party security company will assist all guests in the evacuation of the building.

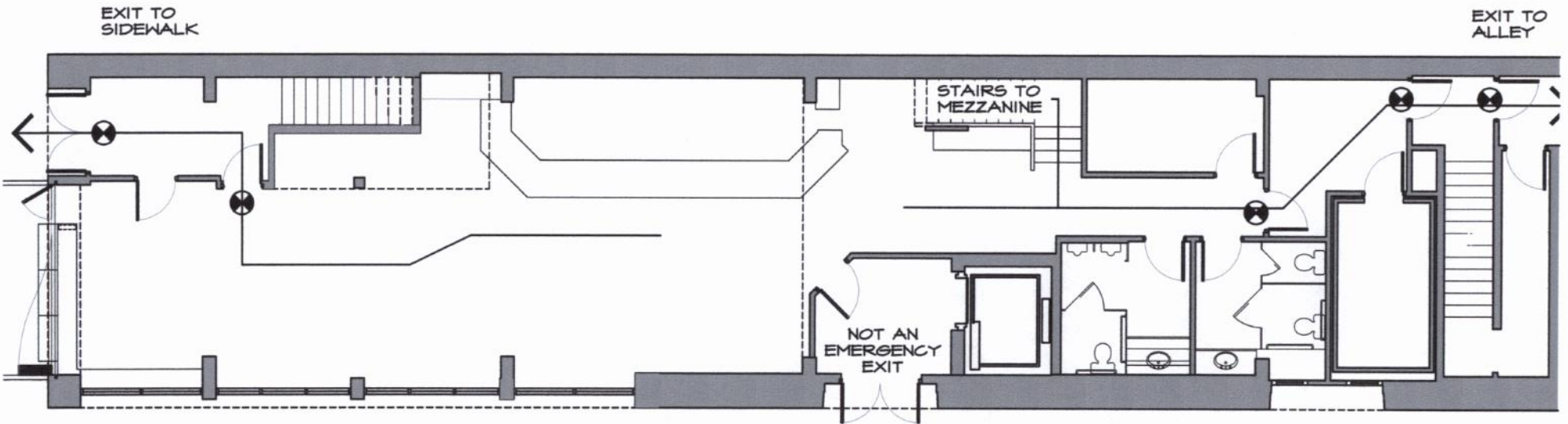
The designated areas of safe distance away from the building in case of emergencies, will be the sidewalk area across the street on either side of the building.

If any designated exit area is blocked, the manager on duty, team leader of any third-party security company and Brick Anchor staff will guide patrons to nearest unobstructed fire exit.

In the instance that a fire pull station is activated, we will respond and comply with the local fire department direction. However if we notice that the pull station is activated without cause, we will notify the local department and turn the alarm to silent during the in between time that fire and rescue team arrives. Once the fire and rescue team arrives, they will determine the next causes for action. If no further action is required, business will resume as planned.

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

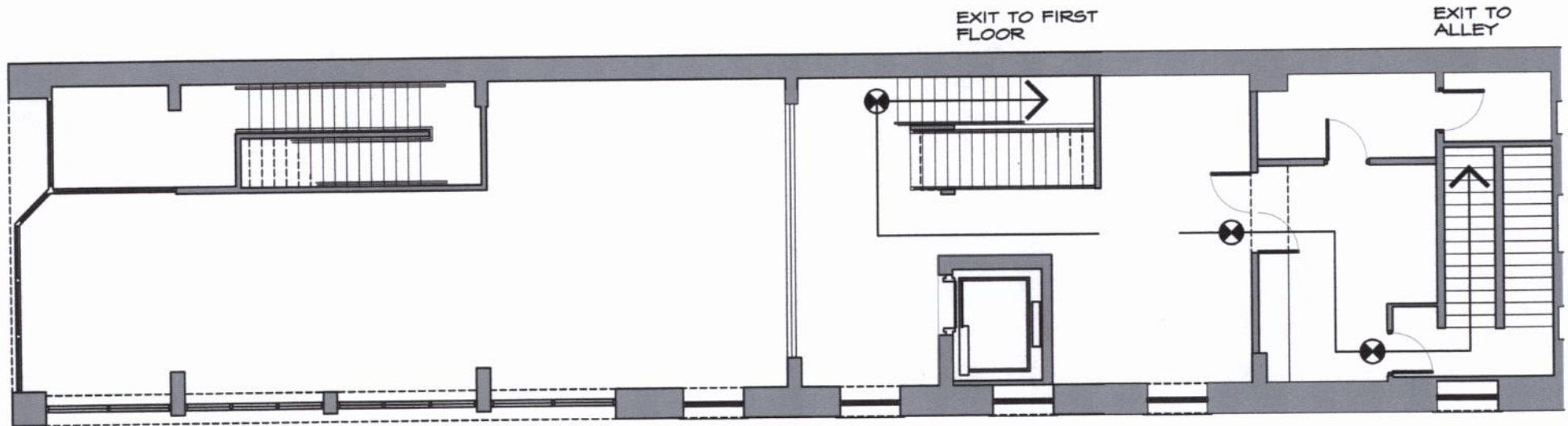
SPECIAL EXCEPTIONS PRESENTATION



FIRST FLOOR - EMERGENCY EXIT PLAN
SCALE: NTS

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION

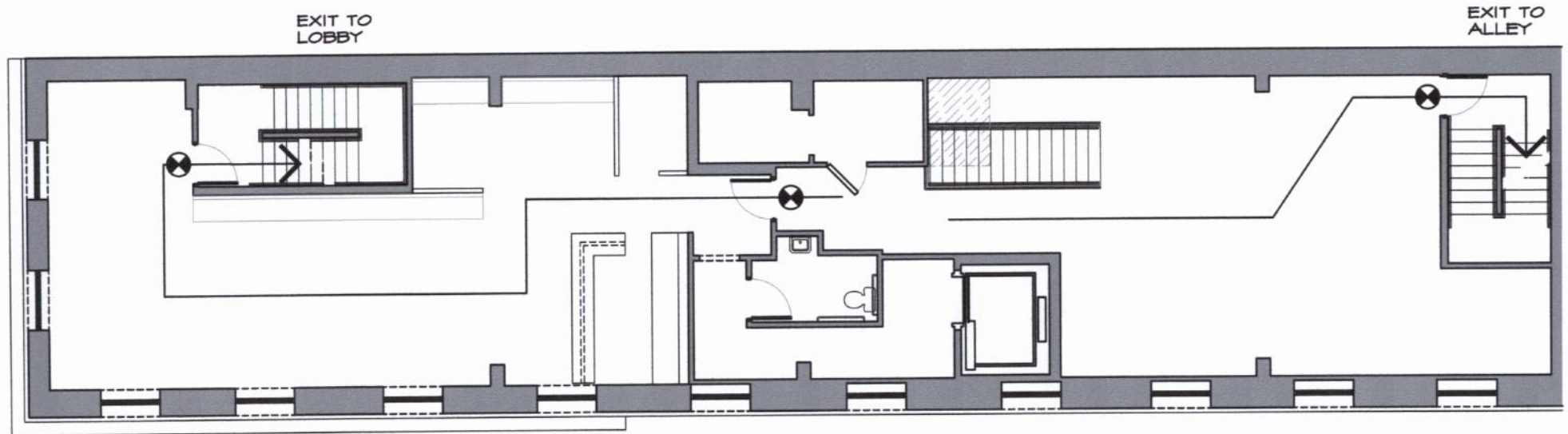


MEZZANINE - EMERGENCY EXIT PLAN

SCALE: NTS

BRICK ANCHOR BREWHOUSE
241 GRANBY STREET
NORFOLK, VA 23510

SPECIAL EXCEPTIONS PRESENTATION



SECOND FLOOR - EMERGENCY EXIT PLAN

SCALE: NTS

Whitney, Chris

From: Whitney, Chris
Sent: Tuesday, March 31, 2015 1:42 PM
To: 'dncl@welovenorfolk.org'
Cc: Whibley, Terry; Winn, Barclay; Howard, Oneiceia
Subject: Special Exception applications for Brick Anchor Brew-House
Attachments: application_entertainment.pdf; application_ABC off.pdf

Mr. Murphy,

Attached please find the following applications on property located at 241 Granby Street:

- a. Special exception to operate an entertainment establishment with alcoholic beverages.
- b. Special exception for the sale of alcoholic beverages for off-premises consumption.

These items are tentatively scheduled for the April 23, 2015 City Planning Commission public hearing.

Should you have any questions, you can respond to this e-mail or call me at (757) 823-1253.

Thank you,

Chris Whitney, CFM
Management Analyst I
City of Norfolk | Department of City Planning
810 Union St. Ste. 508
Norfolk, VA 23510
(757) 823-1253

Whitney, Chris

From: Whitney, Chris
Sent: Tuesday, March 31, 2015 1:45 PM
To: Miller, Mary
Cc: Whibley, Terry; Winn, Barclay; Howard, Oneiceia
Subject: Special Exception applications for Brick Anchor Brew-House
Attachments: application_entertainment.pdf; application_ABC off.pdf

Ms. Miller,

Attached please find the following applications on property located at 241 Granby Street:

- a. Special exception to operate an entertainment establishment with alcoholic beverages.
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Should you have any questions, you can respond to this e-mail or call me at (757) 823-1253.

Thank you,

Chris Whitney, CFM
Management Analyst I
City of Norfolk | Department of City Planning
810 Union St. Ste. 508
Norfolk, VA 23510
(757) 823-1253



February 6, 2015

Phil Smith
Brick Anchor Brew-House
241 Granby Street
Norfolk, VA 23510

Dear Phil:

As per our conversation, the Downtown Norfolk Civic League does not object to your efforts to open Brick Anchor Brew-House at 241 Granby Street.

Please let me know if there is anything that I can do to help.

Sincerely,

Kevin R. Murphy
President

The Portlock Condominiums

241 Granby St. Unit 40

Norfolk VA 23510

February 6, 2015

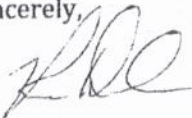
Phil Smith
Brick Anchor Brew-House
241 Granby Street Norfolk, VA 23510

Dear Phil:

As per our conversation, the Portlock Condo Association does not object to your efforts to open Brick Anchor Brew-House at 241 Granby Street. It also does not object to outdoor seating and exterior façade changes to allow new signage on both the Granby and Tazewell building sides as well as opening up of front of the commercial space via removal of current frontage and replacement with sliding windows and/or doors.

Please let me know if there is anything that I can do to help.

Sincerely,

A handwritten signature in dark ink, appearing to read 'RD' or 'Ron Dukes', written in a cursive style.

Ron Dukes
President, Portlock Condo Association